

1 REMARKS

2 The Applicants respectfully request reconsideration and allowance of claims 1 through 20  
3 in view of the arguments set forth below.

4  
5 I. AMENDMENTS TO THE CLAIMS

6 The present application was originally filed with claims 1 through 20. Claims 1 through  
7 20 remain pending in this case.

8 Claims 11 and 16 have been amended to correct typographical errors. Claim 12 has been  
9 amended to provide consistency between the terms used in claim 12 and the terms used in the  
10 remainder of the claims and the specification. Additionally, claim 14 has been amended to  
11 correct the inadvertent omission of the word "station" in element (a). No new matter has been  
12 added by these amendments to the claims.

13  
14 II. AMENDMENTS TO THE SPECIFICATION

15 The specification has been amended to correct typographical errors and to correct certain  
16 drawing reference numbers. No new matter has been added by these amendments to the  
17 specification.

18  
19 III. AMENDMENTS TO THE DRAWINGS

20 The attached Replacement Sheets replace the original sheets containing Figures 3, 4, 6,  
21 and 10. As indicated in the attached replacement drawing sheets, Figure 3 is amended to add  
22 reference number 11 which was inadvertently omitted in the original drawing. Support for this  
23 amendment can be found on page 11, line 13 of the specification of the present application. In

1 addition, Figure 4 is amended to include the correct text associated with reference number 46.  
2 Support for this amendment can be found on page 16, lines 14-15 of the specification of the  
3 present application. Similarly, Figure 6 is amended to correct the text associated with reference  
4 numbers 64 and 65. Support for these amendments can be found on page 19, line 20 to page 20,  
5 line 4 of the specification of the present application. Finally, Figure 10 is amended to change  
6 reference number 151 to --101-- and correct the text associated with reference number 104.  
7 Support for these amendments can be found on page 34, lines 18-19 and on page 35, lines 4-6 of  
8 the specification of the present application.

9 The above amendments are made to the Drawings for consistency with the specification.  
10 No new matter has been added by these amendments.

11  
12 IV. CLAIMS 1-4, 7-11, and 14-16 ARE NOT UNPATENTABLE ON THE GROUND OF  
13 NONSTATUTORY OBVIOUSNESS-TYPE DOUBLE PATENTING OVER CLAIMS  
14 FROM U.S. PATENT NO. 6,802,776 TO LIND ET AL.

15 The Office Action rejected claims 1-4, 7-11, and 14-16 on the ground of nonstatutory  
16 obviousness-type double patenting as being unpatentable over claims 1, 3, 7-10, 12, 16-18, 21-  
17 22, 28, and 34-36 of U.S. Patent No. 6,802,776 to Lind et al. (the "776 patent"). The Applicants  
18 submit that claims 1-4, 7-11, and 14-16 ("Applicants' claims") are patentably distinct over the  
19 cited claims from the 776 patent (the "776 claims").

20 Applicants' claims are patentably distinct from the 776 claims because the 776 claims do  
21 not teach or suggest all of the limitations required by Applicants' claims. In particular,  
22 Applicants' independent claims 1, 8, and 14 require that each game play request is associated  
23 with a respective bingo card representation and that the game play record assigned in response to  
24 a particular game play request must be associated with the bingo card representation associated

1 with the particular game play request. However, the 776 claims merely require that matched  
2 bingo card representations or game play records are assigned to players upon a game play request  
3 being initiated by a respective player. Neither the 776 claims nor the portions of the specification  
4 of the 776 patent supporting these claims show the limitations of independent claims 1, 8, and 14  
5 relating to the specific association between a game play request and a particular bingo card  
6 representation and relating to the subsequent assignment of game play records based on that  
7 association. Therefore, the Applicants submit that independent claims 1, 8, and 14 and their  
8 respective dependent claims, claims 2-4, 7, 9-11, and 15-16, are not obvious variations of the 776  
9 claims.

10 For these reasons, the Applicants submit that Applicants' claims are patentably distinct  
11 from the 776 claims and that the nonstatutory obviousness-type double patenting rejection of  
12 claims 1-4, 7-11, and 14-16 should be withdrawn.

13  
14 V. CLAIMS 1 THROUGH 20 ARE NOT ANTICIPATED BY THE CITED ART

15 The Office Action rejected claims 1-20 under 35 U.S.C. 102(b) as being anticipated by  
16 U.S. Patent Application Publication No. 2002/0111207 to Lind et al. (the "Lind reference") and  
17 under 35 U.S.C. 102(e) as being anticipated by the 776 patent. The Applicants respectfully  
18 submit that claims 1-20 are not anticipated by the Lind reference nor the 776 patent.

19 The Applicants note that the Lind reference is merely the published application which  
20 matured into the 776 patent and that the disclosure of these references is essentially the same.  
21 The arguments presented below will refer to the 776 patent, however, these arguments apply with  
22 equal force to the Lind reference.

Independent Claim 1

Independent claim 1 is directed to a method that requires the following limitations:

- (a) matching a first set of game designations with a set of bingo card representations to produce a matched card set, the matched card set including a number of game play records with each game play record corresponding to a different one of the bingo card representations and including a result indicator indicating a result of the match between the first set of game designations and the respective bingo card representation;
- (b) receiving a number of game play requests, **each respective game play request being associated with a respective player and a respective bingo card representation from the set of bingo card representations; and**
- (c) **for each game play request, assigning the respective player the game play record corresponding to the respective bingo card representation with which the respective player is associated.**

The 776 patent discloses a gaming system that utilizes a pre-matched set of bingo card representations. The bingo card representations are pre-matched by comparing the designations associated with each bingo card representation in the set to the designations from a ball draw to identify the designations associated with the bingo card representations that match the ball draw designations. (See col. 9, lines 42-51 of the 776 patent). This comparison results in a set of matched bingo card representations with each matched bingo card representation representing a game play record for the bingo game. A respective game play record corresponding to a given matched bingo card representation is assigned for each game play request received for a player in the gaming system. (See col. 13, lines 38-57 of the 776 patent).

The 776 patent does not disclose or suggest that each game play request is associated with a respective bingo card representation from the set of bingo card representations as required by element (b) of claim 1. The 776 patent also does not disclose assigning to a particular player the game play record corresponding to the respective bingo card representation that is associated with the particular player as required by element (c) of claim 1. In contrast, the 776 patent

1 discloses that the game play requests need only include sufficient information to identify the  
2 matched card set from which a game play record is to be assigned (776 patent at col. 13, lines 49-  
3 58) and that the game play records are randomly assigned to players (776 patent at col. 16, line  
4 64 to col. 17, line 4).

5 For these reasons, the Applicants submit that claim 1 is not anticipated by the 776 patent  
6 and that claim 1 is entitled to allowance along with its respective dependent claims, claims 2-7.  
7

8 Independent Claims 8 and 14

9 Independent claims 8 and 14 are directed to a program product and apparatus,  
10 respectively, that require limitations similar to those of independent claim 1. In particular, claims  
11 8 and 14 require that each game play request is associated with a particular bingo card  
12 representation from the set of bingo card representations as required by claim 1. Claims 8 and 14  
13 additionally require that the game play record assigned to a respective player in response to a  
14 game play request corresponds to the bingo card representation associated with the respective  
15 player, also as required by claim 1. As discussed above, the 776 patent does not disclose these  
16 limitations. Thus, the arguments presented above with respect to claim 1 apply with equal force  
17 to claims 8 and 14.

18 For these reasons, the Applicants submit that the 776 patent does not anticipate  
19 independent claims 8 and 14 and consequently, that claims 8 and 14 are entitled to allowance  
20 along with their respective dependent claims, claims 9-13 and claims 15-20.  
21

VI. CONCLUSION

For all of the above reasons, the Applicants respectfully request reconsideration and allowance of claims 1 through 20. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, he is asked to telephone the Applicants' attorney Russell D. Culbertson at the number listed below.

Respectfully submitted,

The Culbertson Group, P.C.

Dated: 6-30-06

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Fax No. 571-273-8300) on June 30, 2006.

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1035.tel.response 3-21-06OA.wpd